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9 **BEFORE THE**  
10 **BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. VN-2005-1282

13 JAMILA GALLIEN,  
a.k.a. JAMILA SAIDAH GALLIEN,  
14 a.k.a. JAMILA SAIDAH PORTER  
24360 Rimview Road  
15 Moreno Valley, California 92557

**A C C U S A T I O N**

16 Vocational Nurse License No. VN 194282

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this  
22 Accusation solely in her official capacity as the Executive Officer of the Bureau of Vocational  
23 Nursing and Psychiatric Technicians ("Bureau"), Department of Consumer Affairs.  
24 2. On or about February 20, 2001, the Bureau issued Vocational Nurse  
25 License No. VN 194282 to Jamila Gallien, also known as Jamila Saidah Gallien and Jamila  
26 Saidah Porter ("Respondent"). Respondent's vocational nurse license was in full force and effect  
27 at all times relevant to the charges brought herein, but expired on January 31, 2007, and has not  
28 been renewed.

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1                                   **CONTROLLED SUBSTANCES AND DANGEROUS DRUGS**

2                   12.     "Dilaudid", a brand of hydromorphone, is a Schedule II controlled  
3 substance as designated by Health and Safety Code section 11055, subdivision (b)(1)(K).

4                   13.     "Vicodin" is a compound consisting of 5 mg hydrocodone bitartrate, also  
5 known as dihydrocodeinone, and 500 mg acetaminophen per tablet, and is a Schedule III  
6 controlled substance as designated by Health and Safety Code section 11056, subdivision (e)(2).

7                   14.     "Zofran" is a dangerous drug within the meaning of Code section  
8 4022 in that it is available by prescription only.

9                                   **FIRST CAUSE FOR DISCIPLINE**

10                                   **(False Entries in Hospital/Patient Records)**

11                   **POMONA VALLEY HOSPITAL MEDICAL CENTER (PVHMD)**

12                   15.     Respondent is subject to disciplinary action pursuant to Code section  
13 2878, subdivision (a), on the grounds of unprofessional conduct, as defined in Code section  
14 2878.5, subdivision (e), in that in or about November 2005, while employed and on duty as a  
15 licensed vocational nurse at Pomona Valley Hospital Medical Center ("PVHMC"), Pomona,  
16 California, Respondent falsified, or made grossly incorrect, grossly inconsistent, or unintelligible  
17 entries in hospital, patient, or other records pertaining to the controlled substance Dilaudid and  
18 dangerous drug Zofran, as follows:

19                                   **Patient #845608:**

20                   a.     On November 12, 2005, at 20:31 hours, Respondent withdrew Dilaudid  
21 2 mg from PVHMD's SureMed system under Patient #845608's name, but inconsistently charted  
22 in the patient's medication administration record ("MAR") that the Dilaudid was administered to  
23 the patient at 19:36 hours.

24                   b.     On November 13, 2005, at 03:24 hours, Respondent withdrew Dilaudid  
25 2 mg from PVHMD's SureMed system under Patient #845608's name, but inconsistently charted  
26 in the patient's MAR that the Dilaudid was administered to the patient at 24:00 hours.

27                   c.     On November 13, 2005, at 06:36 hours, Respondent withdrew Dilaudid  
28 2 mg from PVHMD's SureMed system under Patient #845608's name, but failed to chart the

1 administration of the Dilaudid in the patient's MAR and otherwise failed to account for the  
2 disposition of the Dilaudid 2 mg.

3 **Patient #000104878822:**

4 d. On November 26, 2005, at 04:00 hours, Respondent charted in Patient  
5 #000104878822's MAR that she administered Zofran 4 mg to the patient by IVP. In fact,  
6 Respondent did not administer the medication to the patient.<sup>1</sup>

7 **AIR FORCE VILLAGE WEST (AFVW) - SKILLED NURSING FACILITY**

8 16. Respondent is subject to disciplinary action pursuant to Code section  
9 2878, subdivision (a), on the grounds of unprofessional conduct, as defined in Code section  
10 2878.5, subdivision (e), in that in or about June and July 2006, while employed and on duty as a  
11 licensed vocational nurse at AFVW, Respondent falsified, or made grossly incorrect, grossly  
12 inconsistent, or unintelligible entries in hospital, patient, or other records pertaining to the  
13 controlled substance Vicodin, as follows:

14 **Patient Bernice D.**

15 a. On July 28, 2006, at 08:00 hours, Respondent signed out on the Controlled  
16 Drug Receipt/Record/Disposition Form (hereinafter "controlled drug record") one tablet of  
17 Vicodin for Patient Bernice D., but failed to chart the administration of the Vicodin in the  
18 patient's MAR or otherwise account for the disposition of the one Vicodin tablet.

19 **Patient Ronald K.**

20 b. On July 7, 2006, at 13:00 hours, Respondent signed out on the controlled  
21 drug record two tablets of Vicodin for Patient Ronald K. when the physician's order called for  
22 the administration of only one Vicodin tablet for the patient. Further, Respondent failed to chart  
23 the administration of the Vicodin in the patient's MAR or otherwise account for the disposition  
24 of the two tablets of Vicodin.

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27  
28 1. Respondent alleges that she withdrew the Zofran from the SureMed system for another staff member, a registered nurse, and that the registered nurse administered the medication to the patient.

1           **Patient John G.**

2           c.       On July 7, 2006, at 1500 hours, Respondent signed out on the controlled  
3 drug record one tablet of Vicodin for Patient John G., but failed to chart the administration of the  
4 Vicodin in the patient's MAR or otherwise account for the disposition of the one Vicodin tablet.

5                           **SECOND CAUSE FOR DISCIPLINE**

6                                   **(Dishonest Acts)**

7           17.       Respondent is subject to disciplinary action pursuant to Code section  
8 2878, subdivision (j), in that in or about November 2005, Respondent committed acts involving  
9 dishonesty while licensed as a vocational nurse, as set forth above in paragraphs 15 and 16,  
10 which are incorporated herein by reference.

11           18.       Respondent is subject to disciplinary action pursuant to Code section  
12 2878, subdivision (j), in that in or about June 2006, and July 2006, Respondent committed acts  
13 involving dishonesty while licensed as a vocational nurse, as set forth below at paragraph 19,  
14 which is incorporated herein by reference.

15                           **THIRD CAUSE FOR DISCIPLINE**

16                                   **(Diversion, Possession, and Prescription of Controlled Substances)**

17           19.       Respondent is subject to disciplinary action pursuant to Code  
18 section 2878, subdivision (a), on the grounds of unprofessional conduct, as defined in Code  
19 section 2878.5, subdivision (a), in that in or about June 2006, and July 2006, while employed  
20 and on duty as a licensed vocational nurse and charge nurse at Air Force Village West -  
21 Skilled Nursing Facility ("AFVW"), Riverside, California, Respondent did the following:

22                                   **Diversion of Controlled Substances:**

23           a.       Respondent obtained the controlled substance Dilaudid by fraud, deceit,  
24 misrepresentation, or subterfuge in violation of Health and Safety Code section 11173,  
25 subdivision (a), as follows: Respondent signed the names of other nurses on prescriptions or

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falsely made, issued, forged, uttered, published, or passed as genuine prescriptions for Dilaudid, and had the prescriptions filled at Network-Citrus Pharmacy, Redlands, California,<sup>2</sup> as follows:

**Patient Ronald K.**

1. In or about July 2006, Respondent wrote or issued prescriptions for various quantities of Dilaudid for Patient Ronald K. on Physician's Telephone Orders belonging to AFVW, forged other nurses' signatures on the telephone orders, falsely represented on the telephone orders that the patient's physician had ordered or authorized the Dilaudid for the patient, then faxed the forged/falsified telephone orders to Network-Citrus Pharmacy. In fact, the patient's physician never prescribed Dilaudid for the patient.

**Patient Robert W.**

2. In or about June 2006, and July 2006, Respondent wrote or issued prescriptions for various quantities of Dilaudid for Patient Robert W. on Physician's Telephone Orders belonging to AFVW, forged other nurses' signatures on the telephone orders, falsely represented on the telephone orders that the patient's physician had ordered or authorized the Dilaudid for the patient, then faxed the forged/falsified telephone orders to Network-Citrus Pharmacy. In fact, the patient's physician never prescribed Dilaudid for the patient.

**Possession of Controlled Substances:**

b. In or about June 2006, and July 2006, Respondent possessed various quantities of the controlled substance Dilaudid without valid prescriptions from a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor, as set forth in subparagraph (a) above, in violation of Code section 4060.

**Prescription of Controlled Substances:**

c. In or about June 2006, and July 2006, Respondent prescribed various quantities of the controlled substance Dilaudid, as set forth in subparagraph (a) above, and had the prescriptions filled at Network-Citrus Pharmacy.

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2. Respondent signed packing lists indicating that the Dilaudid was, in fact, delivered and received at AFVW.

1 **PRAYER**

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
3 alleged, and that following the hearing, the Bureau of Vocational Nursing and Psychiatric  
4 Technicians issue a decision:

5 1. Revoking or suspending Vocational Nurse License Number VN 194282,  
6 issued to Jamila Gallien, also known as Jamila Saidah Gallien and Jamila Saidah Porter;

7 2. Ordering Jamila Gallien, also known as Jamila Saidah Gallien and Jamila  
8 Saidah Porter, to pay the Bureau of Vocational Nursing and Psychiatric Technicians the  
9 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
10 Professions Code section 125.3;

11 3. Taking such other and further action as deemed necessary and proper.

12  
13 DATED: October 15, 2008

14   
TERESA BELLO-JONES, J.D., M.S.N., R.N.

15 Executive Officer  
16 Bureau of Vocational Nursing and Psychiatric Technicians  
17 Department of Consumer Affairs  
18 State of California  
19 Complainant  
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